

said drill bit body.

100. (Previously presented) The rolling cone rock bit of claim 23, further comprising inserts extending to substantially gage diameter, said inserts located from 150 degrees to 360 degrees around said circumference of said drill bit body and wherein said inserts are active inserts.

101. (Previously presented) The rolling cone rock bit of claim 23, further comprising inserts extending to substantially gage diameter, said inserts located from 150 degrees to 360 degrees around said circumference of said drill bit body and wherein said inserts are non-active inserts.

102. (Previously presented) The rolling cone rock bit of claim 99, wherein said inserts are active inserts.

103. (Previously presented) The rolling cone rock bit of claim 99, wherein said inserts are non-active inserts.

#### **REMARKS**

Applicants acknowledge receipt of the Office Action dated June 15, 2005. In that action, the Examiner: (1) Acknowledged Applicant's request for continued examination and withdrew the finality of the previous Office action; (2) Rejected claim 52 as being indefinite under 35 U.S.C. § 112; (3) Rejected claims 23, 25, 34-36, 38, 40, 41, 43, 44, 46, 49, 50, 52, 65, 67-69, 74-84, 97 and 98 under 35 U.S.C. § 102; (4) Rejected claims 39, 47 and 48 under 35 U.S.C. § 103; and (5) Objected to claims 26-32, 42, 45, 51, 66, 70-73 as being dependent upon a rejected base claim, but found the claims to be allowable if rewritten in independent form.

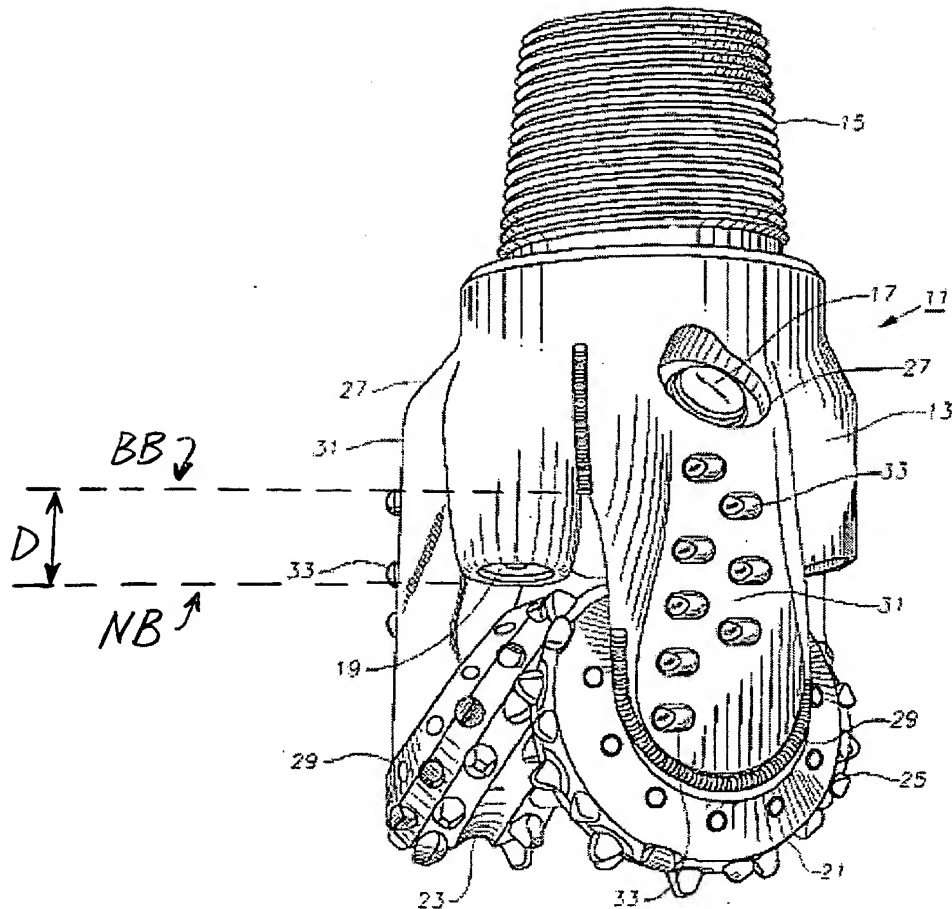
#### **Claim Rejections Under 35 U.S.C. § 112**

The Examiner rejected claim 52 as being indefinite under 35 U.S.C. § 112, noting that claim 52 depended on a cancelled claim. Applicant has amended claim 52 so that it now depends on claim 23, a pending claim. Applicant respectfully requests the Examiner withdraw the rejection and allow amended claim 52.

### **Claim Rejections Under 35 U.S.C. § 102**

The Examiner rejected independent claims 23, 35, 36 and 46, believing the claims to be anticipated under 35 U.S.C. § 102 by *Swadi, et al.* (U.S. Pat. 5,890,550). The Examiner asserted that “by drawing a vertically extending nozzle boss adjacent to the bit leg 31 shown in Figure 2 or 3 [of *Swadi, et al.*], one can see that the cross-sectional area of the junk slot increases from the bottom of the nozzle boss to the top of the nozzle boss as claimed.” Amended claims 23, 35, 36, and 46 claim a cross-sectional area that exists between the nozzle boss, the mudflow ramp, the drill bit body, and the junk slot boundary line, the cross-sectional area increasing from the bottom of the nozzle boss to the top of the nozzle boss.

In contrast, even assuming *arguendo* that *Swadi, et al.* discloses a drill bit comprising the features recited by the Examiner, the reference does not disclose a drill bit comprising a cross-sectional area that exists between the nozzle boss, the mudflow ramp, the drill bit body, and the junk slot boundary line, the cross-sectional area increasing from the bottom of the nozzle boss to the top of the nozzle boss. The drill bit of *Swadi, et al.* does not disclose a cross-sectional area at the bottom of the nozzle boss between the nozzle boss (approximated by reference plane “NB” added as shown below to Figure 1 of *Swadi, et al.*), the mudflow ramp, the drill bit body (approximated by reference plane “BB” added as shown below to Figure 1 of *Swadi, et al.*), and the junk slot boundary line because there is no drill bit body at the bottom of the nozzle boss. As shown in Figure 1 of *Swadi, et al.*, the drill bit body does not extend to the bottom of the nozzle boss, but instead is separated from the bottom of the nozzle boss by the distance represented by the dimension “D” shown in the figure below.



For at least the reasons noted above, *Swadi, et al.* does not anticipate amended independent claims 23, 35, 36 and 46. Applicant respectfully submits that amended claims 23, 35, 36 and 46 are in allowable form. Because claims 25, 34, 38, 40, 41, 43, 44, 49, 50, 52, 65, 67-69, 74-84, 97 and 98 depend either directly or indirectly from claim 23, they are patentable for at least the same reasons detailed above for claim 23.

#### **Claim Rejections Under 35 U.S.C. § 103**

The Examiner rejected claims 39, 47 and 48, believing the claims to be unpatentable over *Swadi, et al.* in view of *Nguyen* (U.S. Pat. 5,494,123) or *Coates* (U.S. Re. 32,495) under 35 U.S.C. § 103.

Because claims 39, 47 and 48 depend either directly or indirectly from claim 23, they are patentable for at least the same reasons detailed above for claim 23.

**Allowable Subject Matter**

The Examiner has objected to claims 26-32, 42, 45, 66 and 70-73 as being dependent upon a rejected base claim, but stated the claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant respectfully notes that claims 26, 42 and 45 are independent claims and are not dependent on rejected claims. Being found patentable over the prior art, Applicant respectfully requests withdrawal of these rejections and allowance of these claims.

Because claim 27 depends either directly or indirectly from claim 26, it is patentable for at least the same reasons detailed above for claim 26.

Because claims 28-32, 66, and 70-73 depend either directly or indirectly from claim 23, they are patentable for at least the same reasons detailed above for claim 23.

**CONCLUSION**

Applicant respectfully requests reconsideration of the pending claims and that a timely Notice of Allowance be issued in this case. If the Examiner feels that a telephone conference would expedite the resolution of this case, he is respectfully requested to contact the undersigned.

Respectfully submitted,



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